

**U.S. District Court
District of Columbia (Washington, DC)
CIVIL DOCKET FOR CASE #: 1:18-cv-00234-RCL**

HYATT v. UNITED STATES PATENT AND TRADEMARK
OFFICE

Assigned to: Judge Royce C. Lamberth

Cases: [1:05-cv-02310-RCL](#)

[1:09-cv-01864-RCL](#)

[1:09-cv-01869-RCL](#)

[1:09-cv-01872-RCL](#)

Cause: 05:552 Freedom of Information Act

Plaintiff

GILBERT P. HYATT

Date Filed: 02/01/2018

Date Terminated: 11/30/2018

Jury Demand: None

Nature of Suit: 895 Freedom of
Information Act

Jurisdiction: U.S. Government Defendant

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V.

Defendant

**UNITED STATES PATENT AND
TRADEMARK OFFICE**

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Date Filed	#	Docket Text
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02/01/2018	<u>1</u>	COMPLAINT against UNITED STATES PATENT AND TRADEMARK OFFICE (Filing fee \$ 400 receipt number 0090-5312879) filed by GILBERT P. HYATT. (Attachments: # <u>1</u> Exhibit Exhibit 1, # <u>2</u> Exhibit Exhibit 2, # <u>3</u> Exhibit Exhibit 3, # <u>4</u> Exhibit Exhibit 4, # <u>5</u> Exhibit Exhibit 5, # <u>6</u> Exhibit Exhibit 6, # <u>7</u> Civil Cover Sheet, # <u>8</u> Summons, # <u>9</u> Summons, # <u>10</u> Summons)(Grossman, Andrew) (Attachment 7 replaced on 2/1/2018) (jd). (Entered: 02/01/2018)
02/01/2018	<u>2</u>	NOTICE OF RELATED CASE by GILBERT P. HYATT. Case related to Case No. 05-2310, 09-1864, 09-1869, 09-1872. (Grossman, Andrew) (Main Document 2 replaced on 2/1/2018) (jd). (Entered: 02/01/2018)
02/01/2018	<u>3</u>	MOTION for Summary Judgment by GILBERT P. HYATT (Attachments: # <u>1</u> Statement of Facts Statement of Undisputed Material Facts, # <u>2</u> Declaration Declaration of Andrew M. Grossman, # <u>3</u> Memorandum in Support, # <u>4</u> Text of Proposed Order)(Grossman, Andrew) (Entered: 02/01/2018)
02/01/2018	<u>4</u>	MOTION to Compel <i>Production of Document for in Camera Review</i> by GILBERT P. HYATT (Attachments: # <u>1</u> Text of Proposed Order)(Grossman, Andrew) (Entered: 02/01/2018)
02/01/2018		Case Assigned to Judge Royce C. Lamberth. (jd) (Entered: 02/01/2018)
02/06/2018	<u>5</u>	SUMMONS (3) Issued Electronically as to UNITED STATES PATENT AND TRADEMARK OFFICE, U.S. Attorney and U.S. Attorney General. (Attachment: # <u>1</u> Notice and Consent)(jd) (Entered: 02/06/2018)
02/21/2018	<u>6</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed. UNITED STATES PATENT AND TRADEMARK OFFICE served on 2/6/2018 (Attachments: # <u>1</u> Return of Service on Dept. of Commerce GC)(Grossman, Andrew) Modified date of service on 2/22/2018 (znmw). (Entered: 02/21/2018)
02/21/2018	<u>7</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed as to the United States Attorney. Date of Service Upon United States Attorney on 2/6/2018. Answer due for ALL FEDERAL DEFENDANTS by 3/8/2018. (Grossman, Andrew) (Entered: 02/21/2018)
02/21/2018	<u>8</u>	CERTIFICATE OF SERVICE by GILBERT P. HYATT re <u>4</u> MOTION to Compel <i>Production of Document for in Camera Review</i> , <u>3</u> MOTION for Summary Judgment . (Grossman, Andrew) (Entered: 02/21/2018)
03/06/2018	<u>9</u>	NOTICE of Appearance by Jason Todd Cohen on behalf of UNITED STATES PATENT AND TRADEMARK OFFICE (Cohen, Jason) (Entered: 03/06/2018)
03/08/2018	<u>10</u>	ANSWER to <u>1</u> Complaint by UNITED STATES PATENT AND TRADEMARK OFFICE.(Cohen, Jason) Modified to add link on 3/9/2018 (znmw). (Entered: 03/08/2018)
03/09/2018	<u>11</u>	NOTICE of Appearance by Paul Marc Levine on behalf of GILBERT P. HYATT (Levine, Paul) (Entered: 03/09/2018)
03/09/2018	<u>12</u>	NOTICE of Appearance by Mark Wendell DeLaquil on behalf of GILBERT P. HYATT (DeLaquil, Mark) (Entered: 03/09/2018)
03/15/2018	<u>13</u>	PROPOSED BRIEFING SCHEDULE by UNITED STATES PATENT AND TRADEMARK OFFICE. (Attachments: # <u>1</u> Text of Proposed Order)(Cohen, Jason) (Entered: 03/15/2018)
03/20/2018	<u>14</u>	Order directing the parties to adhere to the following briefing schedule: Summary Judgment motions due by 4/9/2018. Response to Motion for Summary Judgment due by 4/23/2018. Reply to Motion for Summary Judgment due by 5/7/2018. Signed by Judge Royce C. Lamberth on 3/19/18. (lsj) (Entered: 03/20/2018)
04/09/2018	<u>15</u>	Cross MOTION for Summary Judgment by UNITED STATES PATENT AND TRADEMARK OFFICE (Attachments: # <u>1</u> Memorandum in Support of Defendant's Cross-Motion for Summary Judgment and in Opposition to Plaintiff's Motion, # <u>2</u> Defendant's Statement of Material Facts Not in Genuine Dispute, # <u>3</u> Defendant's Response to Plaintiff's Statement of Facts, # <u>4</u> Declaration of Louis J. Boston Jr., # <u>5</u> Text of Proposed Order)(Cohen, Jason) (Entered: 04/09/2018)

04/09/2018	<u>16</u>	Memorandum in opposition to re <u>3</u> MOTION for Summary Judgment filed by UNITED STATES PATENT AND TRADEMARK OFFICE. (Attachments: # <u>1</u> Defendant's Response to Plaintiff's Statement of Facts, # <u>2</u> Defendant's Statement of Material Facts Not in Genuine Dispute, # <u>3</u> Declaration of Louis J. Boston Jr.)(Cohen, Jason) (Entered: 04/09/2018)
04/09/2018	<u>17</u>	Memorandum in opposition to re <u>4</u> MOTION to Compel <i>Production of Document for in Camera Review</i> filed by UNITED STATES PATENT AND TRADEMARK OFFICE. (Cohen, Jason) (Entered: 04/09/2018)
04/23/2018	<u>18</u>	REPLY to opposition to motion re <u>4</u> MOTION to Compel <i>Production of Document for in Camera Review</i> , <u>3</u> MOTION for Summary Judgment filed by GILBERT P. HYATT. (Grossman, Andrew) (Entered: 04/23/2018)
04/23/2018	<u>19</u>	Memorandum in opposition to re <u>15</u> Cross MOTION for Summary Judgment filed by GILBERT P. HYATT. (Grossman, Andrew) (Entered: 04/23/2018)
05/07/2018	<u>20</u>	REPLY to opposition to motion re <u>15</u> Cross MOTION for Summary Judgment filed by UNITED STATES PATENT AND TRADEMARK OFFICE. (Cohen, Jason) (Entered: 05/07/2018)
07/23/2018	<u>21</u>	NOTICE OF SUPPLEMENTAL AUTHORITY by GILBERT P. HYATT (Grossman, Andrew) (Entered: 07/23/2018)
07/24/2018	<u>22</u>	ORDER granting <u>4</u> Motion to Compel. Defendant shall produce an in-camera submission of the document referred to as the Khuu email to the Court by 8/2/2018. Signed by Judge Royce C. Lamberth on 7/23/18. (lsj) (Entered: 07/24/2018)
09/28/2018	<u>23</u>	MEMORANDUM OPINION. Signed by Judge Royce C. Lamberth on 9/28/18. (lcrcl2) (Entered: 09/28/2018)
09/28/2018	<u>24</u>	ORDER DENYING <u>15</u> Cross MOTION for Summary Judgment and GRANTING <u>3</u> MOTION for Summary Judgment. Signed by Judge Royce C. Lamberth on 9/28/18. (lcrcl2) (Entered: 09/28/2018)
10/12/2018	<u>25</u>	MOTION for Attorney Fees <i>and Costs</i> by GILBERT P. HYATT (Attachments: # <u>1</u> Memorandum in Support Memorandum of Law in Support, # <u>2</u> Declaration Declaration of Andrew M. Grossman, # <u>3</u> Exhibit Exhibit 1, # <u>4</u> Exhibit Exhibit 2, # <u>5</u> Exhibit Exhibit 3, # <u>6</u> Exhibit Exhibit 4, # <u>7</u> Exhibit Exhibit 5, # <u>8</u> Exhibit Exhibit 6, # <u>9</u> Declaration Declaration of Gilbert P. Hyatt, # <u>10</u> Text of Proposed Order Proposed Order)(Grossman, Andrew) (Entered: 10/12/2018)
10/24/2018	<u>26</u>	MOTION for Extension of Time to File Response/Reply as to <u>25</u> MOTION for Attorney Fees <i>and Costs</i> by UNITED STATES PATENT AND TRADEMARK OFFICE (Attachments: # <u>1</u> Text of Proposed Order)(Cohen, Jason) (Entered: 10/24/2018)
10/25/2018	<u>27</u>	RESPONSE re <u>26</u> MOTION for Extension of Time to File Response/Reply as to <u>25</u> MOTION for Attorney Fees <i>and Costs</i> filed by GILBERT P. HYATT. (Grossman, Andrew) (Entered: 10/25/2018)
11/30/2018	<u>28</u>	STIPULATION of Dismissal by GILBERT P. HYATT. (Grossman, Andrew) (Entered: 11/30/2018)